

EXHIBIT A

Appendix A

B₁ 1. (Amended) A formulation for transdermal electrotransport delivery, comprising an aqueous solution of a drug and a dipeptide buffer, the dipeptide buffer comprising a polypeptide chain of 2 to 5 amino acids and having an isoelectric pH at which the dipeptide carries no net charge, the dipeptide having at least 2 pKa's which are separated by no more than about 3.5 pH units, the solution having a pH which is within 1.0 pH unit of the isoelectric pH.

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D. Byron Miller
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950 Page Mill Road
Palo Alto, CA 94303-0802

In re Application of
Cormier, Sendelbeck, Muchnik and
Leung
Application No. 09/190,887
Filed: November 12, 1998
For: BUFFERED DRUG FORMULATIONS
FOR TRANSDERMAL ELECTROTRANSPORT
DELIVERY

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the "Petition Under 37 CFR 1.47(a)," filed November 12, 1998.

The petition is granted.

The above-identified application was filed on November 12, 1998, with a declaration signed by Michel Cormier, Sara Sendelbeck and Anna Muchnik on behalf of themselves and non-signing inventor, Iris Leung.

The petition filed November 12, 1998, was accompanied by a declaration of facts of Mr. Byron Miller and exhibits, which include a copy of an ALZA company/employee newsletter; copies of all correspondence between Mr. Miller and Dr. Leung, including a letter from Dr. Leung addressed to Mr. Miller declining to sign the declaration; and a copy of Dr. Leung's Confidentiality Information, Secrecy and Invention Agreement. The declaration of facts also sets forth Dr. Leung's last known address. Petitioners have shown that the non-signing inventor, Dr. Leung, has refused to join in the filing of the above-identified application. Specifically, the declaration of facts, set forth by Mr. Miller, establishes that Dr. Leung was mailed a copy of the continuation-in-part application papers, including the specification, claims, drawings and oath or declaration, but refused to execute the declaration.

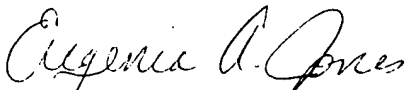
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, petitioner's deposit account No. 01-1173 will be charged the required \$130 petition fee.

Thereafter, the above-mentioned application will be returned to the Office of Initial Patent Examination for further processing as a Rule 47 application with an indication on the PALM bib-data sheet that the application has been accorded Rule 47 status.

Telephone inquiries regarding this decision should be directed to the undersigned at (703)306-5586.



Eugenia A. Jones
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

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